is about fifteen bushels per acre, present price \$1.50 per bushel. The beans grow in bolls around a stalk, which rises from the main stem of the plant. The plant itself grows from three to six feet high, with numerous branches; the pods, as they are called, when ripe, are cut off, and laid on yards. The sun dries the bolls, which causes them to open, and the beans, in common parlance, to pop out, sometimes flying several feet. The field requires to be gone over twice a week, and the ripe pods cut off; they ripen sucessively from near the ground to the top of the branches; the beans are cleaned from the hulls in a common fan mill, when they are ready for market. To obtain the oil from the beans, they are heated in large sheet iron pans, and the oil pressed out by screw, or hydraulic presses; it is clarified by boiling; after which it is barrelled,

and is then fit for use
Produce can be shipped from this place almost all days of the year. The Mississippi is scarcely ever closed below this, which enables us to reac the Eastern, and, if desired, the foreign markets, at a time when the more northern parts of the country are locked up by winter. All the difficulties of the settlement of a new country have been surmounted. Mills, schools, and churches, anxious to remove farther West-in some, the spirit of enterprise, in others, the longing for some never likely to be obtained good. The oftreferred-to happiness of life in a new country in early times, so eloquently depicted by the first settlers, and the spirit of adventure so characteristic of the Western people, tends to unsettle numbers of them—the Rocky mountains are to the west, California and Oregon, with their golden hopes, are beyond, and we are on the shores of the Mississippi instead of the Pacific. Once determined on emigrating, there is no stop; bent on going, at all risks, they dispose of their farms or other property, in many instances for one-half or one-third of its value; in some cases leave their property to be disposed of by their agents at some future day, and start on a wilderness journey of 2,000 miles, with a recklessness truly wonder-

### THE NATIONAL ERA.

WASHINGTON, OCTOBER 17, 1850.

OUR SUBSCRIBERS.

As the year is beginning to draw to a close, we shall soon commence the work of sending out circulars and renewing subscribers. We now merely call their attention to it, so that they may be prepared. We hope every one of our friends has come to the resolution that there must be no fall-

#### FRIEND OF YOUTH.

The last number of the first volume of the month. The first number of the second volume will appear in the beginning of November. We hope the five thousand subscribers who have been reading it the past year, will promptly renew. They will recollect that, according to its terms, payment in advance is the invariable rule; so that the second volume of the paper will be sent only to Bayly.

Renewal ought to be made before the issue of the next number, so that the publisher may know | Mr. Bayly replieshow large an edition to get out. No time should

We solicit attention to the following prospectus, and hope our editorial friends will take such notice of it as they may think proper

#### THE ERIEXD OF VOLTH-VOL. II, 1851. A MONTHLY NEWSPAPER.

MRS MARGARET L. BAILEY, EDITOR

The Friend of Youth will be issued on the first of every | free soil. onth, in quarto form, 8 pages, on fine paper, in neat, new

Sketches of Travel, and Notices of New Books for children, comprehension, about the important events of the present We know this is not usually done in such publications, but we think we do not mistake the taste or capacity of young people, when we suppose them to feel some interest in the world they live in, beyond the nursery, the schoolroom, and the play-ground. It shall also be our care to in receive our carnest advocacy. Teaching our readers to sympathize with the oppressed, and weep with the suffering, we hope to awaken in them a generous abhorrence of all wrong, and an earnest love and reverence for all that is just man, we cannot forget the supreme obligations due to the

To secure variety of entertainment, we have engaged, a regular contributors to our columns, several well known and distinguished writers, peculiarly qualified to minister to the

first of November, ensuing.

The terms are—fifty cents a year for a single copy; five copies for two dollars; or, every person forwarding us four names, with two dollars, shall be entitled to one copy

with as little delay as possible. All communications must be addressed to—
MRS. M. L. BAILEY, Washington, D. C.

Washington, D. C., October 15, 1850. P. S. Postmasters are entitled to ten cents of

new subscriber they may forward - a small compensation for their trouble, but as large as the price of our paper will ad mit. We are always indebted to their courtesy and hope to be laid under still greater obligations.

# GRAHAM'S MONTHLY MAGAZINE.

We call attention to the advertisement of Graham's Monthly for 1851. He presents a great programme. We see that he has secured the services of James, the famous novelist. We must be ungracious enough to correct a misconception that may arise from the announcement of GRACE GREENWOOD as one of his regular contributors We have the pleasure of announcing that we have secured her exclusively for the National Era, in 1851-with an arrangement, suggested by oursely a that she should be at liberty to furnish Graham's Magazine with an occasional article. The editor of that popular Monthly, amidst such a profusion of contributors, will not complain at

RATHER FUNNY .- The veteran editor of the Union describes himself as

"Undergoing privations which few could endure getting up, for instance, for 11 consecutive nights. until three or four o'clock very morning, and rising in the opposite opinion, which was also main next morning at eight, and then, after an interval by the Administration of General Taylor. of three nights, burning the mulaight toper till day-break for two other nights. No one could endure these physical secrifices, except one who had been accustomed to the most arduous labor for forty-six

The veteran writer (says the N. Y. Past, commenting upon this.) " certainly keeps very unusual hours for a man of his age with a family; but we do not see the propriety of his complaints of a want of sleep. A man who retires between three and four o'clock of one morning, and sleeps until the following morning at eight, twenty-eight consecutive hours, ought to get rest enough, if his conscience gives him any thing like a fair

Howard !- Some of the editors of the South forgetful of the fondness of their Northern brethren for innocent humbug, are publishing the following, from the New York Mirror, as all true:

"AN EVE-OPENER. -- We wish to call the attention of the National Whigs to the political programme of the Abolitionists of this State, as marked out by Seward, Greeley, & Co. It is briefly this: Saward and John Van Buren have had an interview, and come to an understanding. They are to unite the Abolition sections of their respective parties, and make a grand rally in support of the Syracuse ticket. Seward and the "Prince" are to stump the State immediately, and harangue the count on an excitement that will insure su the coming election, and found a Buffalo platform for 1852, when the slavery question is again to be made the grand issue, under the following freesoil banner:

For President-THOMAS H. BENTON. For Vice President-WILLIAM H SEWARI

For United States Senator-John Van Buken!

Hon. THOMAS BUTLER KING has received the appointment of Collector at the port of San Francisco. Mr. King is one of the liberal men of the South, and we have no doubt his appointment is a good one.

#### QUESTIONS AND ANSWERS.

An anonymous correspondent in Washington

approved of "African Slavery?" the true nature and destiny of man. The modern philosophy of the South, in discovering the a laptation of human nature to Slavery, demonstrated that Washington, Jefferson, and their compatriots, committed an egregious blunder in

Our correspondent also inquires whether "a slave was ever known to starve to death for want of something to eat, to go to the poor-house, or to commit suicide?" We do not suppose that slaves, any more than horses, are apt to be starved to death in the Small & Track the "poor-house," there is no necessity for that. Slavery is one vast system of pauperism. It reduces all its subjects to absolute poverty, makes provision for their bare maintenance out of their own earnings, and appropriates the remainder of who work them. Finally, if our anonymous friend be a render of the newspapers, he must know that suicide among slaves is not infrequent.

#### CIRCULAR OF MR. BAYLY OF VIRGINIA TO HIS CONSTITUENTS.

Mr. Bayly of Virginia having deemed it neces sary to explain and justify to his constituents his vote in favor of the bill for the settlement of the Texan Boundary and the establishment of Territorial Government in New Mexico, his views of the nature and consequences of that measure become of some importance.

the objections to the bill, were, not that it recognised the validity of the Texan claim to New Mexico east of the Rio Grande, or that it overruled the laws of Mexico prohibiting slavery : it did neither: but, we objected to it because Friend of Youth was issued on the first of this yielded to Texas a portion of territory to which she had no title, proposed to give her ten million dollars to secure her submission to an act of Congress, and did not provide by positive law against the illegal extension of slavery.

This much by way of explanation before we proceed to examine the views taken by Mr

To the objection raised by some of his friends that the bill converts slave territory into free soil,

"This assumes two propositions absolutely irreconcilable with each other; yet both of them must be established before the truth of the assertion can be sustained. It assumes that the territory transferred is Texan territory, and that the Constitution and laws of Texas do not extend to it. If it be Texan territory in which slavery exists, so it will continue to exist after the transfer; for the act establishing a Territorial Government does not change its character. If it be not Texan territory, then its character also remains unchanged, and slave territory is not converted into

If New Mexico be free territory, if the local law prohibiting slavery be still in force there, panion for Youth. While we please, we shall also aim to then, suppose that "the territory transferred" form their tastes. In addition to agreeable Stories, Lessons had belonged to Texas, it is clear that the mo- England, or the common law, disallowed slavery, on Natural History, Descriptions of Natural Scenery, ment it is recognised as a part of New Mexico, it but he insisted that by repeated statutes of the comes under the operation of her law excluding comes under the operation of her law excluding lished, and protected in the Colonies. In no parslavery, and becomes "free territory." If it were not Texan territory, of course its character remains unchanged—that is, it continues free ter-

Mr. Bayly proceeds-"But it is said that slavery is prohibited in New Mexico by Mexican law. How can that be, New Mexico by Mexican law. if, as is contended, all of it east of the Rio Grande which contains nearly the whole of her population, be Texan territory? But suppose those who deny the title of Texas, and maintain that all the territory within the limits of New Mexico is Mexican territory, are right; still I deny that territory which will prohibit slavery. I am not going into the question which has been so ably discussed whether the Mexican laws prohibiting slavery were abrogated or not by the conquest It was the opinion of the South that they were abrogated; and our support of the Clayton compromise was based upon it. however as it may, it is clear beyond cavil or doubt that the Territorial bills abrogate all Mexcan laws and substitute others. The civil law is the law of Mexico. The Territorial bills recognise the existence of the common law. The section relative to the jurisdiction of the courts declares that "the supreme and district courts respectively shall possess chancery and common law ritories. He says: To administer Mexican law Certainly not; but the common law and the chancery law derived from England. It may be said that African slavery cannot exist under that law. I know there is an obiter dictum of Lord Mansfield to that effect. It is but a dictum; for the case of Sommersett turned upon the want of a remedy. Both Lord Talbot and Lord Hardwicke decided otherwise; and so has that great jurist, Sir William Scott, afterwards Lord well, as late as 1827, in the celebrated case of the

ica in the absence of a statute, and solely under the protection of the common law." We must recollect that the purpose of Mr. Bayly is to reconcile his constituents to his vote, and, incidentally, to secure vantage ground for the South, should the attempt to maintain the le- | be inferred from the provision for the recapture gality of slavery be hereafter made in the Terri- of slaves who may escape from "any Territory." tory. We need not therefore be surprised at the | The language of the provision only proves the boldness of his assertions, or the looseness of his

slave Grace. Besides, we all know that slavery

was introduced into the British colonies of Amer

His statement that it was the opinion of the South that the local laws of the territories were abrogated by conquest and treaty, is not correct. Only a part of the South assumed this untenable position. Many of its distinguished statesmen and jurists concurred with all those of the North, in the opposite opinion, which was also maintained

Nor is it "clear beyond doubt or cavil" that the Territorial bills abrogate all Mexican laws and substitute others. The assertion is reckless and inexcusable, for Mr. Bayly knows that, not a jurist from the free States assented to any such dogma, while Mr. Clay, Mr. Benton, and others from the slave States emphatically repudiated it. The bills were deliberately drawn up in such language as, in the event of their passage, carefully to exclude any implication which could favor the idea that the Mexican laws would be abol-

The reasoning by which Mr. Bayly attempts to sustain his position is strangely inconclusive. The civil law, he says, is the law of Mexico; but the Territorial bills recognise the existence of the common law; therefore the laws of Mexico

are abolished in the Territories. The conclusion is not sustained by the premises. The civil law was but a part of the law of Mexico, and it certainly did not include the law abolishing slavery, for that was a statute passed by the Congress of Mexico. Admit, then, that the Territorial bills established the common law, and that this set aside the civil law, it does not follow that all the local laws, or that the statute abolishing slavery, was thereby abrogated. people on the "nigger question" in general, and ute abolishing slavery, was thereby abrogated, the fogitive-slave law in particular. They thus But, there is nothing in the language of the section, which Mr. Bayly quotes, to show that the Territorial bills overruled even the civil law. It provides that "the supreme and district courts respectively shall possess chancery and common law jurisdiction," but this they may do, and yet | cided to be property under the laws of the Ter- onera verdict of murder, though they believe capimuch of the civil law may continue in force, with- ritory. out conflict with such jurisdiction. The civil law prevailed in Louisiana when it became a part of this country, and it continued to be the law of the Territory so far as it did not conflict with so much of the common law as was expressly se-

hrough the Government established for them by their Constitution may prescribe at the time of their

The law abolishing slavery in New Mexico was General Washington was so unfortunate as to done, and no mere change of sovereignty could be educated in the antiquated opinion that Sla- undo it, and reduce the emancipated again to very was an evil. He announced his earnest de-bondage. Suppose the common law to be estabsire for its removal; said there was but one lished in the Territory, as Mr. Bayly assumes, should not be wanting. By will, too, he left his that the law abolishing slavery is abrogated. For, nust not judge him harshly. His excuse for | mad enough to assume that of itself it establishes law against slavery.

We maintain on the contrary that the simple

it. Mr. Bayly, in relation to this doctrine, says: I know that there is an obiter dictum of Lord the case of Sommersett turned upon the want of a Both Lord Talbot and Lord Hardwicke decided otherwise; and so has that great jurist, Sir William Scott, afterwards Land Starell, as late as 1827, in the case of the slave Grace. Be sides, we all know that slavery was introduced into the British colonies of America, in the absence of a statute, and solely under the protection of the common law.

Here is a tissue of most astounding assertions, these to the support, comfort, and luxury of those | not one of which will bear the test of examination. The decisions of Lord Hardwicke and Lord Talbot were anterior to that of Lord Mansfield, and did not touch directly the question whether slavery was in accordance with the common law. The opinion of Lord Mansfield was not an obiter dictum," but a direct decision of this very question; for the case of Sommersett did not turn upon the want of a remedy," but on the relation of slavery to law. Sommersett was brought before the Chief Justice on a writ of habeas corpus. The return set forth that he was a slave, kept in confinement with the view of being sold abroad.

"The only question before us," said the Chief Justice, "is, whether the cause on the return is sufficient. If it is, the negro must be remanded; if it is not, he must be discharged, Accordingly, the return states that the slave departed and re fused to serve-whereupon he was kept to be

"So high an act of dominion must be recognised by the laws of the country where it is used. The power of a master over his slave has been different in different countries. The state of slavery is of such a nature that it is incapable of being introduced on any reasons, moral or political, but only by positive law, which preserves its force long after the reasons occasion, and time itself, from whence it is created, are erased from memory. It is so odious that nothing can be supposed to support it but positive law. Whatever incon-venience, therefore, may follow from this decision, I cannot say the case is allowed or apthe black must be discharged

The slave was discharged, because there was no positive statute, authorizing the high act of dominion under which he was attempted to be held, and because the laws of England did not allow or approve of it-that is, of slavery. That decision, not "obiter dictum," has been the law of England from the hour it was made; nor is it true that Lord Stowell ever "decided otherwise."

The decision in the case of the slave, Grace, it s well known, turned upon the question of the legality of slavery in the Colonies. Lord Stowell expressly recognised the decision of Lord Mansfield, but regarded it as confined to England; he ticular did his decision conflict with that of Lord Mansfield, that Slavery can exist only by positive

true, partly untrue. Slaves were first introduced not "under the protection of common law." This had it not been for the statutes which were speedily enacted, authorizing and encouraging the slave trade, legalizing the introduction of slaves sale and transfer as property. Slavery in the Colonies had its origin in robbery, and positive law was found necessary to establish it.

The common law of England never allowed ing to the assumption of Mr. Bayly, into the Territories of New Mexico and Utah, it must confirm, it cannot abrogate, the local laws abolishing slavery in those Territories.

The honorable member affects to find in the Fugitive bill a recognition of Slavery in the Ter-

" Besides this, the act providing for the recapture of fugitive slaves throughout contemplates the escape of slaves from our Territories. It That when any person held to service or labor in any State or Territory, or in the District of Columbia, shall escape." &c. Slavery is prohibited in Minnesota and Oregon; and if it is also prohibited in Utah and New Mexico, our other Territories, then there is no subject to which a part of that law can refer."

We had occasion last week to show that this construction of the act was untenable. Because Congress, in its tender care over the interests of Slavery, chooses to provide for the recapture of not follow that there are slaves in a free State: nor can the existence of Slavery in free Territory superfluous zeal of the Northern allies of the slaveholder, and that they were willing to contemplate as possible the conversion of free into slave soil or the future acquisition of slave territory Not content with legalizing Slavery in the Territories, Mr. Bayly assumes that the Territorial Legislatures are restrained from abolish-

ing it. Listen: The New Mexican bill not only recognises the legality of slavery within the Territory, but it contains clauses which will restrain the Territerial Legislature from abolishing it. They are in the one declaring that the question is to be decided by the people when they form a State Constitution, and of course not before; and in the other in these words: 'No citizen of the United States shall be deprived of his life, liberty, or property in said Territory, except by the

judgment of his peers and the laws of the land. The bill, as originally reported in the Senate, prohibited the Territorial Legislature from pass ing any law respecting Slavery. It was then amended so as to prohibit the Legislature from passing any law establishing or abolishing Slavery. Finally, the entire provision on this point was stricken out, expressly at the instance and to meet the views of the Cass Democrats who wished to vote for the bill, and whose doctrine was that the people of a Territory have the right to legislate for themselves on the subject. In the face of this, Mr. Bayly has the hardihood to contend that the Territorial Legislature is restrained from abolishing Slavery, should it by any means obtain foothold there. And on what ground? Because he says the bill contains a clause providing that the question is to be decided by the Peoland. The last named provision, so far as it re- And as for the pretence that, if his claim be sublates to property, of course applies only to what is property in the Territories. Before the provision rescue the fugitive, it is groundless. It is a fact can be held to apply to slaves, they must be de- that, men sit on juries and render against a pris-

As to the other provision, in which he pretends to find a restriction on the Territorial Legisla- determine the facts-for the penalty they are not ture, it is misquoted. The clause referred to provides that "when admitted as a State, the said | mend itself to our judgment or conscience, but it Territory, or any portion of the same, shall be re- is a prevalent belief that men on a jury may concured to the inhabitants of the Territory, ceived into the Union, with or without Slavery, as sistently render a verdict, as to the nature of an

Clearly there is nothing in this to restrain the wishes to know whether that great, wise, and not, we repeat, a part of the civil law-it was an Territorial Legislature from prohibiting Slavery. good man, General Washington, sanctioned or act passed by the Mexican Congress. By it sla- It might do so, but its action could impose no obvery ceased to be in New Mexico. It was athing ligation on the Convention called to form a State Constitution, although doubtless it would help it to a right decision. The views of Mr. Bayly will meet with no favor

at the North, and his reasoning will be considproper way for its abolition-that was by lew; and that it has overruled the civil law, this does | ered futile; but it is well to know that he and and that so far as his vote could secure this, it not touch the point he seeks to maintain -to wit, the large body of slaveholders with whom he acts, claim a victory in the passage of the Territorial slaves free; showing, strangely enough, that he while some have contended that slavery was not bills without the Proviso, assuming that they thought Freedom preferable to Slavery. But we repugnant to the common law, no one has been have legalized slavery in New Mexico and Utah. The question is not, therefore, settled. It is such notions and conduct is to be found in the slavery, or that a law abolishing the institution transferred temporarily from Congress to the general ignorance of our forefathers respecting is repugnant to it. And yet one or the other of Federal Executive and the Courts established by these two positions must be proved, before Mr it in the Territories. That the slaveholders will Bayly can establish his point-that the introduc- attempt to act upon the theory advocated by Mr. tion of the common law is the abolition of the Bayly, we have little doubt. Believing, or assuming to believe, that Slavery is legalized in Utah and New Mexico, they will undertake supposing that Liberty was the best condition of recognition of the common law, is a complete ex- to exercise its prerogative there; and unless a tion of slavery, where no positive law sustains | vigilant and an energetic Public Sentiment in the Free States infuse vitality into the Federal Executive, and the Federal Courts and officers in the Territories, they will be likely to execute their purpose. For the National Era.

# WATCHING.

BY MISS PHIEBE CAREY.

Where the blossoms cunningly Tapestry, most fair and meet, Spreading o'er my pleasant seat O, my lover, lost and dear, I am come to meet thee he

Ever since sweet eyes of thine Dark'ning, failing, answered mine On the white line of the dead-O, my friend, my lover yet, Nightly have our spirits me

I can see the eve star's blaze Parting evening's snowy mist From the walls of amethyst-O, my lover, O, my friend, Wherefore dost thou not descend

Walking on the hills of flowers Than hast counted not the hours I, with but one hope all day, saw coem busting wearing-True to thee in life and death Thou the first hast broken faith

ship of lin both most not mine ince it clung in death to thine Never since thine own was stilled Mortal tongue my heart bath thrilled-Never swerving, e'en in thought

Only mused I vesterday Of a kind face far away-One, should this sweet commune end, That would 'air be brother friend-One who might have been my guide Hadst thou never lived and died.

This could never break the spell False it was not, was not sin, That I thought what might have been O, my lover, O, mine own, Wherefore do | wait alone?

### A PRETEXT.

"The National Era and other Abolition papers use as a pretext for their opposing the Fugitive Slave law, the fact that the slave is denied the right of jury trial in the State where he may be apprehended; but they forget to mention that he can have a fair trial in the State from which he absconded. When a criminal escapes from one State to another, the requisition of the Govdid not controvert the position that the laws of ernor of the State from which he absconded, brings him back for trial, and there is no comwn, that to grant a trial as required by the cover his property."-Baltimore Clipper.

In reference to the supposed analogy between the return of an alleged slave and that of an alinto the Colonies, in the absence of a statute, but leged criminal, Mr. Ashmun of Massachusetts pertinently remarked that crime should be tried would soon have put an end to the robber-traffic, in the place where it is committed, but the title to property in the place where it is contested. The offender against the laws of one State, returned by another, is, in the first place, sure of into the Colonies, and making provision for their a trial, which shall result in a decision one way or the other; and in the second place, as sure of as fair a trial in the State from which he fled as in that to which he fled. The testimony of his guilt or innocence is more readily accessi African Slavery, and, if it be introduced, accord- ble in the place where the offence is alleged to have been committed. Besides, no State has a right to try a man for an offence against the laws of another. Therefore, the fugitive criminal is properly delivered up to the State against which he has offended.

But, when a person in a free State is claimed as a fugitive slave, suppose he assert his title to freedom. The presumption in a free State is, that every person within its limits is free, and the State is bound to extend its protection to every person under its sovereignty. This conflict of claims is therefore a proper subject for legal investigation according to the ordinary forms of law, wherever it is raised. The claimant may urge that the alleged fugitive can have a fair trial in the State to which he would carry him; the person claimed may reply that the claimant may have a fair hearing in the State where he makes his claim But the claimant may be slaves, should they escape from any State, it does subjected by this course to injurious delay and expense! and might not the claimed, by an opposite course, be also subjected to injurious delay and expense? If difficult for one to produce the necessary proof of claim before a jury in the State where the arrest is made, it may be just as difficult for the other to produce the necessary proof of title to freedom before a jury in the State to which he may be conveyed. It is far easier to institute a claim to the services of an alleged fugitive, and carry it through, than to bring suit for freedom and succeed. The claimant generally has means and friends, and the law as administered in this country favors him. The person claimed is generally without means, without efficient friends, and the law does not favor him We know something by experience of the difficulty of reinstating a freeman once subjected to bondage, in the possession of his rights. For one year, we have been laboring to recover by suit before a Maryland court the freedom of three persons, fraudulently deprived of their liberties. It has cost us much time, anxiety, and money, and up to this moment, we have not succeeded in procuring a decision, though we trust we shall do so ere long. Without the intervention of some active friend, the freeman of the North, surrendered as a slave to the South, would scarcely be able to bring his title before a legal tribunal. He is ignorant-knows nothing of legal process-is probably sent to a plantation where he seldom sees the face of a white manand his master's interest is in the way of the assertion of his title. And yet, we are told that he can have a fair trial." Aye-had he money to pay counsel, and friends to stimulate their of forts and hunt up evidence, so that his case could once be got fairly before a Court, we have little doubt then that the trial would be a fair one. It is easy enough for the claimant to act. If his ple when they come to form a State Constitution; claim be valid, the evidence will cost him nothing and another provision, that no citizen shall be and nobody can prevent or delay his obtaining deprived of his life, liberty, or property, except it; he can have a warrant issued, an arrest made, by the judgment of his peers and the laws of the and trial ordered just whenever it may suit him.

responsible. This kind of ethics does not com-

offence, though they may condemn the penalty which the law affixes to it.

So, there are plenty of citizens of the North who would give an impartial hearing to the claim of a slaveholder, and, if the evidence satisfied them that the alleged fugitive was one within the meaning of the Constitution and the Law, render a verdict accordingly, holding themselves guiltless of the provision under which he is carried back into slavery. We state a fact, and so long s such an opinion shall be prevalent, we repeat he slaveholder would be just as certain of a fair rial of his claim before a jury in a free State, as freeman unjustly held in bondage would be of is title to freedom before a jury in a slave State

As it is, every arrest of a fugitive will create leep excitement; every act of delivery will deepen the hostility of the North against Slavery Its citizens will learn to associate it with everything that is hateful-with the suppression of the freedom of speech and the press-with the abridg ment of the right of petition-with the abrogation of the jury trial, the habeas corpus, of the right of appeal, of the responsibility of judgeswith the overthrow of every bulwark of State Sovereignty and Personal Rights.

# ELECTION IN OHIO - POLITICAL SPECULA-

The result of the election in Ohio is not unfavorable to the cause of Free Soil. Eben Newton, from the 19th district, and L. D. Campbell, from the 2d, both Free-Soil Whigs, are elected Samuel Galloway, Free-Soil Whig, came very near beating Sweetser in the 10th district. J R. Giddings of course is reflected. N. S. Town send, the candidate of the Old Line and Free Democracy of the 21st district, one of the earliest Abolitionists of Ohio, and a man of great firmness and efficiency, is elected. Mr. Cable, Democrat, whose course on the Slavery Question during the last session was entirely unexceptionable to the friends of freedom, is reelected. Mr. Carter. who recorded his vote in favor of the Wilmon Proviso, against the Texan Boundary bill, and the "Fugacious Slave bill," is also returned The delegation for the next Congress, on all questions of Human Rights, has a better aspect than the present delegation from Ohio. The Whigs have made such gains in the State

as insures their ascendency in the Legislature, or secures the balance of power to the Free-Soilerswe hope the last. In either case, Mr. Allen is haid upon the shelf. Mr. Chase will be likely to have a colleague who, whatever other differences. What examplifies with can ad it respects the Slavery Question These results in Ohio are chiefly owing to the debilitating influence of Cassism on the Democracy of that State. Under such an incubus they never can put forth their whole energies. Lukewarmness and disaffection there must Hunkerism, in the result of the election in Ohio, may read its fate in 1852, should it be able to force a Presidential candidate of its own brand on the Democratic party-provided always that the Whig party do not become subjugated by the same influence. With the exception of three or four, the Democratic members from Ohio bent the knee to the Slave Power, while but one Whig from that State recorded his name in favor of the obnoxious measures of the session. Our Demo cratic friends ought to have learned by the election of 1848, that honesty is the best policy. Perhans the election in Ohio may be useful in deepening this lesson upon their minds and hearts.

In Pennsylvania, the Democrats have made some gain, but this is not at all surprising. There, as in Ohio, we presume that, in ordinary times, undisturbed by new issues, there is a real Democratic majority. As the Whig members from Ohio better represented in Congress the Freeplaint of hardship. But if a slave escape, it is | Soil sentiment of that State than the Democratic insisted that he shall not be returned to his owner members, that majority is, as we see, overcome but in Pennsylvania, among whose Whig men bers there were several notable instances of de-Abolitionists, would be equivalent to nullifying fection from Free-Soil sentiment, during the late the act of Congress. No owner would ever recontroversies in Congress, the Whigs had no controversies in Congress, the Whigs had no Free-Soil capital to expend in maintaining a maority that had been obtained by the use of such anital, and through General Taylor's popularity

The seceding Whigs of New York would do well to ponder these things. We speak as one, independent of all party organization. What our principles and sympathies are, all our readers know; our political philosophy is certainly that of the Democratic School; but, as between the two organizations, we think we can judge impartially, and no organization which betrays the cause of Human Rights, or seeks to subordinate it to questions of financial policy or political economy, no matter how grave they may be, shall find excuse with us. We say, then that, should the seceding Whigs

f New York carry the day against their brethren, and exclude from their party the grand Idea of Human Rights, the National Whig Conven tion of 1852 will enact the part of the Democratic Convention of 1848, and with similar results Fasten the dead body of Hunkerism to the Whig party, and even Cass might hope to ride over it. In a fair fight, Progressive Democracy will be apt to carry the day against Progressive Whigism, as Hunker Democracy will be sure to beat Hunker Whigism. But, ally Whigism with the cause of Progress, and clog Democracy with Conservatism, and the latter must bite the dust. Let the counsels of Duer & Co. prevail, let the star of Webof New York in 1852 is Democratic.

ster gain the ascendant, and the electoral ticket No wonder that General Cass fraternized se lovingly with Messrs. Clay and Webster. He knew that there was no hope for Cass Democracy. so long as the Whig party at the North should maintain its fidelity to the Wilmot Proviso. Occupying that position, it would attract much of the materials which would otherwise be deposited in the Democratic party, while this party would find itself unable to establish the necessary cohe sion among its members to secure the ascendency of Non-intervention, he saw at once the advantage it promised. Both parties standing on the sam platform in relation to slavery, their strength would be tried on the old issues; and, when the ontest should lie between Monopoly and Anti-Monopoly, between Protection and Free Trade between the claims of some Manufacturers and those of the Planting and Agricultural Interests, the General anticipated an easy victory.

The mystery of his temporary confraternity with those eminent Whigs is then explained. We were not surprised at the compliments he lavished upon them; and when a few days since in Nev York, with a heart gushing with emotion, he styled Mr. Clay, "the noble," and Mr. Webster, "the gigantic." and Bennett's Herald, "the national and patriotic," who shall say that a bright vision of the Presidency in 1852, and a sudden appreciation of the useful labors of that illustrious trio in preparing his way to that high elevation, did not ntensify his patriotic admiration of their glorious

# NEW MEXICO.

New Mexico has a population large enough to form a State. The great majority of her citizens have decided in favor of a State Government They have formed a State Constitution, and sent hither their Representatives and Senators, who intimate a purpose to continue their application for her admission into the Union. In favor of this measure resolutions were passed by the late State Whig Convention of Massachusetts; and we know of no reason that can be urged against it, except the necessity of keeping New Mexico in a Territorial condition, so that the propagandmitted to a jury in a free State, he could never ists of Slavery may have a chance of trying the experiment of slave labor on its soil.

Much has been said about the Executive influence brought to bear in favor of a State Governtal punishment is wrong. They assert that this is entirely consistent, as it is their business alone to ment. The Washington Union, a few days since

Crawford, had set on foot a movement for forming a State Government in the territory claimed Texas.

Major Weightman, sent to Washington by the People of New Mexico, with their State Constitution, denies, in a subsequent number of the Union, the truth of these allegations. He says that the State movement was set on foot by sixteen civilians, citizens of the United States, some of American, some of Mexican blood; some Democrats, some Whigs; some from the Northern, some from the Southern States: that it was strenuously opposed by the officers and subordinates of the Government under the control of the military commander, whose action was entirely adverse to the efforts of the State party. Mr. Weightman speaks in strong terms of the in-

fluences against which this party had to contend: "The full extent of the power to control and njure, which this unrestrained and organized band of office-holders wielded, can only be en-tirely understood when it is known that the military commander held to no accountability civil officers charged with assaults upon the religion of the country and embezzlement of the public funds.

"The influence of the quartermaster's depart-ment in the late elections was by no means an nconsiderable one. With its army of employees, with its contracts to let, with its agencies to purchase the entire surplus of the corn and forage of the country, and with its easy means of comm nication by express at Government expense, it proved itself very formidable; and this influence, with some honorable exceptions, was thrown

against the State party.
"This web of influence, extending to the frontiers of New Mexico, was, like the other, organized, and like it, also, easily managed from the centre; and the managers of both webs were acting in concert, and, as has already been told,

ainst the State party.
"Nor is this all. In the first days of February of this year, the Government printing press, the only available one in the country, was sold, and fell into the hands of the Territorial party. Being owned by an army sutler and contractor, and edited by the chief judge under the military gov-ernment and the chief clerk of the quartermaster, all communications of the State party were ex-eluded from the columns of their paper. They refused to print ballots for the State party, who were obliged to write tickets (the election being held by ballot) to the number of fifteen or twenty thousand."

Against all this opposition the State party at the late election triumphed in every county but one, thereby showing how strong was the popular sentiment in favor of the organization of a State Government. That New Mexico will withdraw her application for admission as a State, is not therefore probable. Mr. Weightman, in the following paragraphs, we presume, declares her deliberate purpose: "The difficult boundary question will, it is

onfidently expected, soon be settled by the assent of Texas; and, the boundary difficulty at rest, New Mexico stands in the same attitude as Cali-fornia did previous to her admission, and in the same attitude of Michigan previous to her admission, and ofter the adjustment of her boundary difficulties with Ohio and Indiana. New Mexico asks for no more than justice.

She asks it of all parties and all sections. She comes here unconnected with any party or any section. Of her delegation two are Democrats, and one Whig-two Southern and one Northern born. She appeals to the whole United States. and claims as a right, if her Constitution is republican, to be admitted to the enjoyment of all the blessings of liberty."

### THE DESPOTISM OF SLAVERY.

We had occasion to comment lately upon the bondage imposed by the Slave Power upon the white race in the South-referring to a recent attempt by the people of Eufaula, Alabama, to eject one of their own citizens, not because he was an al Era. abolitionist, but because he was a subscriber to the National Era, in which we had published an extract of a letter received from him, (but not intended for publication,) speaking of the injuri- 28th of January, the detachment to which he beous effects of slavery on the white population. longed fell in with a band of Indians, greatly The sentiments were truthful, but moderate: the language was kind and unexceptionable, and it was written by a man born and raised in the South. But Slavery took offence and demanded his expulsion.

The principal mischief-maker in the case was the postmaster at Eufaula. He wrote us a note. stating that he had refused to deliver the copy of the Era, sent to the subscriber referred to, and that he would not deliver that or any other incendiary sheet. He appropriated the copy of the paper addressed to the subscriber, and was careful, we suppose, to hand it about town for the purpose of showing his own extraordinary patriotism, and the imminent peril that threatened the town of Eufaula. Ere this, we presume, he has received official notification of the expediency of complying with his oath of office. But what an illustration have we, in the insolent tyranny of this postmaster, and in the insensate violence of the good people of Eufaula, of the despotism of Slavery over the white community!

A short time after this, we observed a brutal paragraph in some paper in the "far South," announcing that several abolitionists were known to be living in a certain neighborhood, and invoking popular violence to "move them." Who were these abolitionists? What was their crime? What trespass had they been committing? Were they to be lynched because they believed slavery to be an evil institution? Is it the intention of Slaveholding fanatics to drive every man from the South who does not think slavery the best condition of the laborer ? The mob at Macon, which suppressed a re-

spectable newspaper because it published a letter from a Georgian at Atalanta, commenting in indignant terms on the slave pen at that place was another painful illustration of the intole rance of the Slave Power. We had hoped tha this despotism was confined to the planting States but an instance of mean tyranny on the part of a postmaster in Virginia, acting under the instiga tion of some busybody, has lately come to our knowledge. A citizen of this place, with a slave attendant, was spending a few months on pleasure at Shanoudale, near Charlestown post office. She had been in the habit of reading the Era and the Pittsburgh Saturday Visiter, and they were ordered to be addressed to her at that post office. The postmaster, incited by the busybody abovemen tioned, took the liberty of breaking open the pa pers, and the further liberty of withholding them from the lady to whom they belonged. She remor strated; and the Department at Washington hav. ing been apprized of the culpable conduct of the deputy at Charlestown, directed him to deliver promptly the papers, according to law, to the per son to whom they were addressed. She remained there several weeks after this order was sent, bu no papers were ever given to her. The postmaster refused to discharge the duty he had sworn to perform, and which had been enjoined upon him expressly by the Department. This is freedom in a Slave State-to be at the

nercy of every village postmaster, who may die tate to you, at his own sovereign will and pleasure what you shall, and shall not, read.

In glancing our eye along the columns of the Greenborough (N. C.) Patriot, a few days since we noticed quite a remarkable communication from clergyman. The design of it was to arouse the indignation of the community against two preachers of the Wesleyan denomination, named Crooks and McBride. Their clerical brother charged them with being abolitionists-the preachers of seditious doctrines-and he labored hard to awaken the mob spirit against them. He undertook to give "the substance" of a sermon by one of them, as follows:

"The speaker then took his text in John's Gos pel, 13th chap, and 17th verse-" If ye know then things, happy are ye if ye do them." From thes words the speaker attempted to show the difference between true and false religion, spurious an

In true religion-I. There must be knowledge-Knowledge of God-2. Of Christ-3. Of the Scriptures-4. Of ourselves. II. In true religion there must be obedience. On this point the speaker came out fully on the doctrines of Abolition. remarked—

"Scarcely was the new President (General Taylor) installed, when it became known that the Commissioner of Texas, sent to organize counties in the Santa Fe country, had been foiled by the troops of the United States, and that the military the gospel, and a free salvation, who were all

commandant, acting under instructions from Mr. hypocritical, insincere, and wicked-holding mer hypocritical, instruction and women in bondage, contrary to the gospel which they hypocritically preached, and their hands were full of blood, whose end was eternal death, if they repented not of their cruel deeds of oppression, and disobedience to the gospel, which they knowingly perverted. He then went on the control of the control they knowingly perverted. He then went on to show the injustice of withholding the Scriptures show the injustice of withholding the Scriptures from servants, and refusing to teach them to read the barburity of the laws of the State of North Carolina on this subject. And then, again, in one sentence, sent the whole SOUTHERN CHURCH to The above, and such like denunciations, he said he felt it his bounden duty to make, regardless of men, or of human laws and institutions to the contrary—and that he was not afraid to declare the truth which he was commissioned to declare I do not profess to give the precise language in which the sentiments were uttered, but the substance.

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This must strike every candid mind, as caricature. The reverend brother then proceed, to make the most inflammatory appeals to the people, in the course of which, he says: " Let me state further, that at the close of the

service, one of them made an appointment to hold a CAMP MEETING in the northern part of Guilford county, I think at a place called Sandy Ridge—to enlighten the citizens of Guilford, and especially the worthy DARKIES. I was told by citizens of Jamestown that several servants had been sold in Jamestown that several servants had been sold in their vicinity for insubordination to their masters; and while there on last Saturday afternoon, I took up your last issue, Mr. Editor, in which I saw a reward of \$500, offered by Dr. J. A. Mebane, for three runaway slaves—three, if my memory is correct. After hearing the sermon on Sunday, my impression is, if the Dr. will go to McBride and Crooks and give them the published fee, they can, if they will, tell him the whereabouts of his servants. And the citizens of Greenshoroush and servants. And the citizens of Greensborough and Guilford need not be surprised, if these misguided scamps are permitted to go at large, and prowl about their churches, plantations, and highways and converse with, preach to, and highways, children of their servants, if one half of them are on their way to Ohio before Christmas. Wake up, gentlemen, and look around you. Your wives and your children are in jeopardy, and your own quiet resting places may become scenes of horror."

In the next number of the Patriot appears an article from Mr. McBride, contradicting in whole and in part the caricatured report of his sermor given by Mr. Montgomery, (his reverend accuser, and denying several gross imputations made against him; and his article is endorsed by two citizens of Jamestown, as follows:

" This is to certify that we heard the sermo to which reference is made in the above letterthat the corrections as made by J. McBride to the best of our recollections, are true—that we Mrequently heard these men, Crooks and Me Bride, express the sentiments expressed in the above communication with reference to insurretion, amalgamation, &c. AREL GARDNER, The Greensborough Patriot says that they are

known and respectable names."

Such is but a specimen of the movements on foot in the South to suppress all freedom of opin ion, all liberty of speech, on the subject of Slavery They are disgraceful to any community that tol erates them. How a high-spirited people, with grain of self-respect, can submit to such outrages upon a great popular right, is a mystery to us The truth is, there can be no real freedom for any body, where the capital invested in slaves control the social system. It will not permit its claims !

### CAPTAIN ELISHA BETTS.

We lately copied from the Southern Press a: account of a meeting in Eufaula, Alabama, of which General Hunter was President, called to take measures for the expulsion of Captain Elisha seen proper to become a subscriber to the National

In 1837, the Captain volunteered his service in the Indian war, when many younger citizens of Eufaula remained at home in security. On the action of half an hour, was ordered to retreat. The horse of Captain Betts having received two se vere wounds, he was exposed to much peril from the hot pursuit of the savages. He soon overtook James Hunter, a fine young man, whose horse had been shot under him, and, although his own horse was bleeding profusely, almost exhausted took him up behind, and succeeded in saving him from the vengeance of the savages. This same Hunter was the son of the Chairman of the meet ing that resolved to exile the Captain from h

Captain Betts is not an Abolitionist, but he not a supporter of slavery. He did not know that the National Era was an " Abolition paper," nor. with his misapprehension of Abolition, did he regard it as such. He understood that it was opposed to Slavery, opposed to its extension, and discussed the question freely; and for this rea-

We understand that the illegal decree of th meeting has been carried into effect, and he has been compelled to leave the neighborhood in which he has so long resided, and which he risked h life to protect against the Indians.

son, he wished to have the privilege of reading i

Lately, we have received from him a comp nication, in which he says-"In the first place, I am opposed to extrem

measures both North and South. I was, and a still, in favor of Clay's Compromise. I think th ul ras, both North and South, have done Mes-Cass, and Webster, and those who acte with them, great injustice.
"I consider the course of the Compromise peace party in Congress, as being patriotic and statesmanlike, for whose exertions every patrio-

and lover of this Union should feel profound grateful. "I am a Whig. I supported the election Taylor and Fillmore, and I supported Mr. He liard against Pew. I am warmly in favor of proserving our present United States Constitution and Government. I am utterly opposed to the present movements for secession, disunion, rebellion, and a Southern Confederacy. I am no Ab olitionist. I do not want the slaves in the Soul ern States interfered with, either by individual societies, or by Congress. It is, because I am no a disunionist that I am thus prescribed. No or

who knows me believes me capable of committing an incendiary act. "In conclusion, I have to request you to publish this imperfect defence; I feel that I am up portant charge which has been made against me If taking the National Era, or writing the letter is an incendiary act, I was, and still am, ignorated of it; and I still hope the public will acquit most any such crime, committed either intentionally or unintentionally. Thus you will perceive the I am driven from my home unprovided for, by ruthless mob, and I received a letter the other

for me to return home yet. "ELISHA BETTS." The Southern Press is requested to publish the foregoing.

THE PRISONERS IN WASHINGTON. Two years and six months since, Captain Wi

iam Draper and Captain Edward Sears were prisoned in the City Prison of Washington. aiding in the escape of seventy slaves from ! District of Columbia. We are informed by gentleman who has visited them every week sin their confinement, that they are now in deep porerty, and have suffered and will suffer for want clothing and other comforts common to all in country, unless relieved by the contributions those who are in possession of the liberty they are deprived of, and whose efforts to provide themselves has been blessed of God with abun ance. At his request, and with great pleasure, call the attention of our readers to the necessit of these prisoners, both of whom are worthy their aid and sympathy; and any contribution sent to us, shall be carefully devoted to the relie

"THE CHRONOTYPE."-Elizar Wright has re vived his Chronotype, daily and weekly, and sparkles just as it used to do. His ability is un questionable, his independence unmistakable, h politics are liberal, his morals good, but his the ology good for nothing-or worse. Though his can never be anything else but Wright, he sure to be almost always wrong in that line.

MASSACHUSETTS -The Free-Soilers and Loc Focos of Middlesex have coalesced, and nomina a mixed ticket for State Senators.